GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:1651
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Regulation of OTT and VOIP Services
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Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the Department of Telecom"s Committee set up after the debate on net neutrality has submitted its report to the Government;

(b) if so, the details and major recommendation of the Committee on allowing and regulating Over-the-Top (OTT) app and Voice Over Internet Protocol (VOIP) services;

(c) whether the stakeholders particularly that telecom services providers have raised their concern on the recommendations as it has a bearing on their revenue;

(d) if so, the details thereof and the reaction of the Government thereto; and

(e) the measures taken by the Government to protect the interest of the stakeholders/customers and to protect the privacy of individual and security of the nation?

Answer

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)

(a) Yes Madam;

(b) Department of Telecommunication (DoT) Committee on Net Neutrality has given its recommendation relating to regulation of Over-the-top(OTT) application and Voice over Internet Protocol (VoIP) services as outlined in chapter-8, clause 8.11 of its report. Major points regarding the same are as below-

(i) OTT application services should be actively encouraged and any impediments in its expansion and growth should be removed.

(ii) Specific OTT communication services dealing with messaging should not be interfered with through regulatory instruments.

(iii) In case of VoIP OTT communication services, there exists a regulatory arbitrage wherein such services also bypass the existing licensing and regulatory regime creating a non-level playing field.

(iv) The existence of a pricing arbitrage in VoIP OTT communication services requires a graduated and calibrated public policy response. In case of OTT VoIP international calling services, a liberal approach may be adopted. However, in case of domestic calls (local and national), communication services by TSPs and OTT communication services may be treated similarly from a regulatory angle for the present.

(c) & (d) Government has placed report of the committee in public domain (MyGov portal and Department of Telecommunications website) for comments and suggestions. Stakeholders, including Industry bodies having representation from Telecom Service Providers have submitted their suggestion on the recommendations and its likely implication. Government is treating all the suggestions as inputs towards policy formulation on Net Neutrality.

(e) Government stands for ensuring non discriminatory access to Internet for all citizens of the country. Section 43, Section 43A and Section 72A of the Information Technology Act, 2000 provides a legal framework for privacy and Security of data in digital form. Telecom Service Licensee's under terms and conditions for the licenses are inter-alia mandated to protect the interest of the stakeholders/ customers and privacy of the individual. Further to protect the security of the nation , some security conditions have been incorporated in their license terms and conditions. DoT Committee on Net Neutrality has recommended inter-ministerial consultations to work out measures to ensure compliance of security related requirements from OTT service providers.

After Telecom Regulatory Authority of India (TRAI) recommendations Government will take a final view on the whole issue.